

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**DAVID SAMBRANO, et al., individually,
and on behalf of all others similarly
situated,**

Plaintiffs,

v.

UNITED AIRLINES, INC.,

Defendant.

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Civil Action No.

4:21-CV-01074-P

**APPENDIX IN SUPPORT OF DEFENDANT'S MOTION FOR PARTIAL DISMISSAL
OF THE SECOND AMENDED COMPLAINT AND BRIEF IN SUPPORT**

NOW COMES, Defendant United Airlines, Inc. and files this Appendix in Support of Its Motion to Dismiss and Brief in Support.

<u>EXHIBIT</u>	<u>DESCRIPTION</u>	<u>PAGE NO.</u>
A	Burk EEOC Charge	App. 1-3
B	Castillo EEOC Charge	App. 4-6
C	Hamilton EEOC Charge	App. 7-11
D	Jonas EEOC Charge	App. 12-15
E	Kincannon EEOC Charge	App. 16-19
F	Medlin EEOC Charge	App. 20-22
G	Rains EEOC Charge	App. 23-25
H	Sambrano EEOC Charge	App. 26-30

Respectfully submitted,

/s/ Russell D. Cawyer

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**ATTORNEYS FOR DEFENDANT
UNITED AIRLINES, INC.**

CERTIFICATE OF SERVICE

On March 13, 2023, I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5 (b)(2).

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/s/ Russell D. Cawyer
Russell D. Cawyer

B

Lopez, Jacqueline

From: EEOC <no-reply@service.eeoc.gov>
Sent: Sunday, February 6, 2022 9:06 PM
To: Detzner, Megan
Subject: [EXTERNAL] Notice of Charge of Discrimination

This message was sent from outside of United Airlines. Please do not click links or open attachments unless you recognize the sender and know that the content is safe.



**U.S. Equal Employment Opportunity Commission
Chicago District Office**

230 S Dearborn Street Chicago, IL 60604
(312) 872-9777

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

02/06/2022

Megan Detzner
To: Sr. Manager, EEO Compliance
United Airlines
233 S. Wacker Drive, 11th Floor CHICAGO, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by Mr. Charles Burk under: Title VII of the Civil Rights Act of 1964 (Title VII). The circumstances of the alleged discrimination are based on Retaliation, Religion, and involve issues of Reasonable Accommodation, Benefits-General Benefits, Terms/Conditions, Harassment, Union Representation that are alleged to have occurred on or about 10/31/2021.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice

1. Access the EEOC's secured online system at [EEOC Respondent Portal](#)
2. Enter this EEOC Charge No.: **550-2022-00363**
3. Enter this password: **eKfWEUiMn**

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding the Digital Charge System, you can send an email to CHICAGOEEOC@EEOC.GOV.

Preservation of Records Requirement When a Charge has Been Filed





Charge of Discrimination

[User Guide](#) [Logout](#)

Your Organization: UNITED AIRLINES

Your EEOC contact is : Seth Sinclair , SETH.SINCLAIR@EEOC.GOV

[Update Respondent Information](#)

Required

Please provide a statement of your position on the issues covered in the charge, with any supporting documentation by **March 08, 2022**. For guidance on how to best prepare your Position Statement, please review Effective Position Statements, as EEOC has revised its procedures related to the content and release of position statements, effective January 1, 2016.

You may be notified at a later date to respond to a Request for Information

Contacts ⓘ

[Add Organization Contact](#)

Megan Detzner

Sr. Manager, EEO Compliance
United Airlines
233 S. Wacker Drive, 11th Floor
CHICAGO, IL 60606
megan.detzner@united.com
(872) 825-7608 (main)

[Update](#) [Delete](#)[Add Legal Representative](#)

No records found.

Charge Documents

[Upload Documents](#)

550-2022-
00363_NoticeOfChargeOfDiscrimination
(Notice of Charge) Feb 6, 2022

550-2022-
00363_ChargeOfDiscrimination
(Charge of Discrimination) Jan 28, 2022

< [View All Documents](#) >

EEOC Form 5 (11-19)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.	Charge Presented To: EEOC FEPA	Agency(ies) Charge No(s): 550-2022-00363
California Department Of Fair Employment & Housing and EEOC <i>State or local Agency, if any</i>		

Name (indicate Mr., Ms., Mrs.) Mr. Charles Burk	Home Phone (949) 547-3004	Year of Birth
---	-------------------------------------	---------------

Street Address 2621 Benbrook Blvd FORT WORTH, TX 76109
--

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name UNITED AIRLINES	No. Employees, Members 501+ Employees	Phone No.
--------------------------------	---	-----------

Street Address 233 Wacker Dr. CHICAGO, IL 60606

Name	No. Employees, Members	Phone No.
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Street Address	City, State and ZIP Code
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DISCRIMINATION BASED ON Retaliation, Religion	DATE(S) DISCRIMINATION TOOK PLACE <table border="0"> <tr> <td>Earliest</td> <td>Latest</td> </tr> <tr> <td>08/06/2021</td> <td>10/31/2021</td> </tr> </table>	Earliest	Latest	08/06/2021	10/31/2021
Earliest	Latest				
08/06/2021	10/31/2021				

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)). I began my employment on or about February 19, 1996. My current position is Pilot. On or about August 6, 2021, I was notified by my employer that it would be requiring all employees to be fully vaccinated. I sincerely hold a religious belief that conflicts with my employers vaccination requirement. During my employment, I requested a religious accommodation to Respondents Covid-19 vaccination mandate, which was approved. Instead, Respondent threatened to place me on an indefinite leave of absence without pay and a loss of all benefits. Under duress and against my religious beliefs, I took the vaccine on October 31, 2021. I believe I have been discriminated against because of my religion, Christian, and retaliated against, in violation of Title VII of the Civil Rights Act of 1964, as amended. I believe that my employer discriminated against others because of their religion in violation of Title VII of the Civil Rights Act of 1964, as amended.
--

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Mr. Charles Burk 01/28/2022 <i>Charging Party Signature</i>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA 450-2022-00302 <input checked="" type="checkbox"/> EEOC	
and EEOC			
State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs.) David Michael Castillo		Home Phone (Incl. Area Code) (510) 755-3126	Date of Birth [REDACTED]/67
Street Address 726 N. Hampton St., Apt. 7207		City, State and ZIP Code Ft. Worth, Texas 76102	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name United Airlines		No. Employees, Members 84000+	Phone No. (Incl. Area Code) (800) 864-8331
Street Address 233 S. Wacker Dr.		City, State and ZIP Code Chicago, Illinois 60606	
Name		No. Employees, Members	Phone No. (Incl. Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)			DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Aug 9, 2021 <input checked="" type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): United Airlines told us in August of 2021 that they would be mandating the COVID-19 vaccine at the company, effective at the end of September. I am a Buddhist and have a sincerely held religious belief that prevents me from taking the vaccines, but United said that we would need a letter from a pastor if we sought a religious exemption from the mandate. As a Buddhist, I do not have a pastor who could provide a letter for me. I later learned that the company removed the requirement of a pastor's letter but I had already attempted to file an accommodation form on United's computer system (Help Hub) and could not complete the process. It also came out later that the "reasonable accommodation" for needing an exemption from the mandate would be unpaid leave. I ended up filing a request for an accommodation in mid-September. My supervisor said the request was "untimely" since it did not follow United's internally-imposed deadline. While United rejected the "untimely" (according to the company) accommodation requests from others, they made an exception for my request because I am a named litigant in a case against the company. Were I not named in the lawsuit, I would have been terminated (like others at the company). As it was, my accommodation approval instead allowed me to be put on unpaid leave at the beginning of October. The company had decided in the meantime, though (while the lawsuit was pending), to provide some exempt employees with actual accommodations that let us remain at work. Even though United ended up providing an accommodation for me to keep getting a paycheck, the company continues to prevent me from doing certain jobs (such as remote trips to work on engines) because of my vaccination status. These limitations are unreasonable given the mitigation steps I was willing to take while remaining employed, especially since I had already had COVID. This is even more true now that the CDC has said unvaccinated individuals should not be treated differently than vaccinated individuals.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
I declare under penalty of perjury that the above is true and correct.		[Signature of David Michael Castillo] Charging Party Signature	
9-19-22 Date		[Signature of David Michael Castillo] Charging Party Signature	

EXHIBIT

B

App. 004



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office
230 S Dearborn Street
Chicago, IL 60604
(800) 669-4000
Website: www.eeoc.gov

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

09/20/2022

To: Megan Detzner
Sr. Manager, EEO Compliance
UNITED AIRLINES
233 S. Wacker Drive, 11th Floor
Chicago, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by David M Castillo under: Title VII of the Civil Rights Act of 1964 (Title VII). The circumstances of the alleged discrimination are based on Religion, and involve issues of Reasonable Accommodation that are alleged to have occurred on or about 11/12/2021.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

1. Access the EEOC's secured online system at <https://arc.eeoc.gov/rsp/login.jsf>
2. Enter this EEOC Charge No.: 450-2022-00302
3. Enter this password: LWODF9EVe

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding it, you may send an email to CHICAGOEEOC@EEOC.GOV.

Preservation of Records Requirement When a Charge has Been Filed

The EEOC regulations require respondents to preserve all payroll and personnel records relevant to the charge until final disposition of the charge or litigation. 29 CFR §1602.14. For more information on your obligation to preserve records, see <http://eeoc.gov/employers/recordkeeping.cfm>.

Non-Retaliation Requirements

The laws enforced by the EEOC prohibit retaliation against any individual because s/he has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing under these laws. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify the EEOC if any attempt at retaliation is made. For more information, see <http://www.eeoc.gov/laws/types/facts-retal.cfm>.

Legal Representation

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please provide the attorney's contact information when you log in to the online system.

Please retain this notice for your records.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form		Charge Presented To: Agency(ies) Charge No(s): EEOC 450-2021-06274 FEPA	
Texas Workforce Commission Civil Rights Division and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Mrs. Kimberly A. Hamilton		Home Phone 817-296-6432	Year of Birth
Street Address 4504 Lakeside Drive COLLEYVILLE, TX 76034			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name UNITED AIRLINES		No Employees, Members Unknown Number Of Employees	Phone No
Street Address 233 S.Wacker Drive CHICAGO, IL 60606			
Name		No Employees, Members	Phone No
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 08/06/2021 02/17/2022 Continuing Action	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			

I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures	NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Mrs. Kimberly A. Hamilton 02/18/2022 <i>Charging Party Signature</i>	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

EXHIBIT**C**

App. 007

<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p>This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC 450-2021-06274</p> <p style="text-align: center;">FEPA</p>
<p style="text-align: center;">Texas Workforce Commission Civil Rights Division and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

I began my employment on or about September 8th, 2003. My current position is Station Operations Representative (SOR). On or about August 6, 2021, I was notified by my employer that it would be requiring all employees to be fully vaccinated by October 25th, but later unexpectedly learned that the "vaccinate or be placed on unpaid leave" date was moved to September 27, 2021. The requirement to be vaccinated violated my sincerely held religious beliefs. On August 26, 2021 I requested a religious accommodation to Respondent's Covid-19 vaccination mandate. After answering several discriminatory questions about my religion and getting a third party to validate my beliefs, the religious accommodation was approved with many discriminatory conditions including being placed on unpaid leave as of October 2, 2021. On unpaid leave I would be without health benefits for myself and my husband, who had recently been diagnosed with cancer. This meant I would be forced into expensive COBRA healthcare without an income to pay for it. I would also lose my ability to retire. Subsequently, I was given an accommodation that allowed me to keep my job but required me to wear an N95/KN95 mask at all times while on airport property and on aircraft and all United locations. I must also test twice weekly at my expense, keep my distance from other employees, and remain only in my specific work area and was told to eat my meals while wearing my mask, putting the mask back on after bites and sips. I was also requested to eat outdoors or in rooms alone. Given that I work in at the Dallas Fort Worth airport, being outside can be oppressive in regard to the weather. The accommodation stated in bold letters that the N95/KN95 masks are intended for employees who have not yet completed or begun their vaccination process. Since all DFW employees seem to know about the accommodation requirements, the N95/KN95 mask has become my "scarlet letter" announcing to all that I am not vaccinated and visually mark my vaccination status. This has led to workplace shunning and harassment. Additionally, Human Resources has advised that my accommodation may be changed at Respondent's discretion. So, I am left with not knowing when my pay and benefits may end. I therefore fear that I may be moved to unpaid leave at any time. I believe that I was discriminated against because of my religion (Catholic), in violation of Title VII of the Civil Rights Act of 1964, as amended.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Mrs. Kimberly A. Hamilton</p> <p>02/18/2022</p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office
230 S Dearborn Street ,
Chicago ,Illinois ,60604
(312) 872-9777
Website: www.eeoc.gov

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

02/23/2022

To: Megan Detzner
Sr. Manager, EEO Compliance
UNITED AIRLINES
233 S.Wacker Drive 11th Floor
CHICAGO, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by Kimberly A Hamilton under: Title VII of the Civil Rights Act of 1964 (Title VII). The circumstances of the alleged discrimination are based on Religion, and involve issues of Reasonable Accommodation that are alleged to have occurred on or about 02/17/2022.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

1. Access the EEOC's secured online system at <https://arc.eeoc.gov/rsp/login.jsf>
2. Enter this EEOC Charge No.: 450-2021-06274
3. Enter this password: fKoFNqyP

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding it, you may send an email to CHICAGOEEOC@EEOC.GOV.

Preservation of Records Requirement When a Charge has Been Filed

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Non-Retaliation Requirements

The laws enforced by the EEOC prohibit retaliation against any individual because s/he has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing under these laws. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify the EEOC if any attempt at retaliation is made. For more information, see <http://www.eeoc.gov/laws/types/facts-retal.cfm>.

Legal Representation

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please provide the attorney's contact information when you log in to the online system.

Please retain this notice for your records.

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 450-2021-06256 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
Texas Workforce Commission Civil Rights Division and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Debra J. Thal Jonas		Home Phone (817) 614-9424	Year of Birth
Street Address 2205 Homecraft Lane Bedford, TX 76021			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name UNITED AIRLINES		No Employees, Members 501+ Employees	Phone No (872) 825-7608
Street Address DFW Airport 2400 Aviation Dr Dallas, TX 75261			
Name		No Employees, Members	Phone No
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON Disability		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> <div> Earliest 08/06/2021 </div> <div> Latest 03/08/2022 </div> </div> <div style="text-align: center; margin-top: 10px;"> Continuing Action </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began my employment on or about September, 1984. My current position is United Club Representative. On or about August 6, 2021, I was notified by my employer that it would be requiring all employees to be fully vaccinated against Covid-19 by September 27, 2021. I am an individual with an impairment which substantially limits one or more major life activities. My doctor has recommended that I not take a COVID-19 vaccination because of my disability. My employer requires me to get a COVID-19 vaccination as a requirement of my job. During my employment, I requested a reasonable accommodation to Respondents Covid-19 vaccination mandate due to my disability. My request for accommodation was approved. However, Respondent requires that I submit to testing twice weekly and wear a KN95 mask. The same is not required of vaccinated co-workers. I am also assigned to work in a small, closed office. I believe I have been discriminated against because of my disability, in violation of the Americans with Disabilities Act of 1990, as amended. I believe that my employer discriminated against others because of their disability in violation of the Americans with Disabilities Act of 1990, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. <div style="background-color: yellow; padding: 2px; display: inline-block;"> Digitally Signed By: Debra J. Thal Jonas </div> <div style="background-color: yellow; padding: 2px; display: inline-block;"> 04/12/2022 </div> <div style="text-align: center; margin-top: 10px;"> <i>Charging Party Signature</i> </div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <div style="display: flex; justify-content: space-between; margin-top: 20px;"> SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE </div> <div style="text-align: center; margin-top: 5px;"> <i>(month, day, year)</i> </div>	

EXHIBIT**D**

App. 012

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office
230 S Dearborn Street
Chicago, IL 60604
(800) 669-4000
Website: www.eeoc.gov

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

04/21/2022

To: Megan Detzner
Sr. Manager, EEO Compliance
UNITED AIRLINES
233 S WACKER DR
CHICAGO, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by Debra J Thal Jonas under: The Americans With Disabilities Act of 1990 (ADA). The circumstances of the alleged discrimination are based on Disability, and involve issues of Reasonable Accommodation that are alleged to have occurred on or about 03/08/2022.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

1. Access the EEOC's secured online system at <https://arc.eeoc.gov/rsp/login.jsf>
2. Enter this EEOC Charge No.: 450-2021-06256
3. Enter this password: UJS8jPs5

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding it, you may send an email to CHICAGOEEOC@EEOC.GOV.

Preservation of Records Requirement When a Charge has Been Filed

The EEOC regulations require respondents to preserve all payroll and personnel records relevant to the charge until final disposition of the charge or litigation. 29 CFR §1602.14. For more information on your obligation to preserve records, see <http://eeoc.gov/employers/recordkeeping.cfm>.

Non-Retaliation Requirements

The laws enforced by the EEOC prohibit retaliation against any individual because s/he has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing under these laws. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify the EEOC if any attempt at retaliation is made. For more information, see <http://www.eeoc.gov/laws/types/facts-retal.cfm>.

Legal Representation

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please provide the attorney's contact information when you log in to the online system.

Please retain this notice for your records.

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 550-2021-01800 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
California Department Of Fair Employment & Housing and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Mrs. Genise Kincannon		Home Phone 817-925-0650	Year of Birth
Street Address 5545 Grenada Dr FT WORTH, TX 76119			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name UNITED AIRLINES		No Employees, Members 501+ Employees	Phone No
Street Address San Francisco International Airport Terminal 3 San Francisco, CA 94128			
Name		No Employees, Members	Phone No
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> Earliest 08/06/2021 Latest 11/16/2021 </div> <div style="text-align: center; margin-top: 10px;"> Continuing Action </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began my employment on or about 1990. My current position is Flight Attendant. On or about August 6, 2021, I was notified by my employer that it would be requiring all employees to be fully vaccinated by September 27, 2021. I sincerely hold a religious belief that conflicts with my employers vaccination requirement. During my employment, I requested a religious accommodation to Respondents Covid-19 vaccination mandate, which was approved. However, on November 12, 2021, Respondent placed me on an indefinite, unpaid leave of absence. I believe I have been discriminated against because of my religion, Christian, in violation of Title VII of the Civil Rights Act of 1964, as amended. I believe that my employer discriminated against others because of their religion in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. <div style="background-color: yellow; padding: 2px; display: inline-block;"> Digitally Signed By: Mrs. Genise Kincannon 02/18/2022 </div> <div style="text-align: right; margin-top: 10px;"> <i>Charging Party Signature</i> </div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT <div style="display: flex; justify-content: space-between; margin-top: 10px;"> SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE </div> <div style="text-align: center; margin-top: 5px;"> <i>(month, day, year)</i> </div>	

EXHIBIT**E**

App. 016

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chicago District Office
230 S Dearborn Street ,
Chicago ,Illinois ,60604
(312) 872-9777
Website: www.eeoc.gov

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

02/18/2022

To: Megan Detzner
Sr. Manager, EEO Compliance
UNITED AIRLINES
233 Wacker Dr 11th Floor
CHICAGO, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by Genise Kincannon under: Title VII of the Civil Rights Act of 1964 (Title VII). The circumstances of the alleged discrimination are based on Religion, and involve issues of Other Issue Not Listed Above that are alleged to have occurred on or about 11/16/2021.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

1. Access the EEOC's secured online system at <https://arc.eeoc.gov/rsp/login.jsf>
2. Enter this EEOC Charge No.: 550-2021-01800
3. Enter this password: yqklVZWw

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding it, you may send an email to CHICAGOEEOC@EEOC.GOV.

Preservation of Records Requirement When a Charge has Been Filed

The EEOC regulations require respondents to preserve all payroll and personnel records relevant to the charge until final disposition of the charge or litigation. 29 CFR §1602.14. For more information on your obligation to preserve records, see <http://eeoc.gov/employers/recordkeeping.cfm>.

Non-Retaliation Requirements

The laws enforced by the EEOC prohibit retaliation against any individual because s/he has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing under these laws. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify the EEOC if any attempt at retaliation is made. For more information, see <http://www.eeoc.gov/laws/types/facts-retal.cfm>.

Legal Representation

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please provide the attorney's contact information when you log in to the online system.

Please retain this notice for your records.



EEOC Respondent Portal

Charge of Discrimination

[User Guide](#) [Logout](#)

Your Organization: **UNITED AIRLINES**

Your EEOC contact is : Joan Ratz , JOAN.RATZ@EEOC.GOV

[Update Respondent Information](#)

Notice

No Action is required from you at this time.

Charge: 450-2022-03320

The charge of employment discrimination that has been filed against your organization by **Alyse Medlin**, Charge No. 450-2022-03320 is available for you to view. Please click [here to open and view](#) a copy of the charge.

Statutes and circumstances of alleged discrimination:

- Disability, Religion, Retaliation

Contacts ⓘ

[Add Organization Contact](#)

No records found.

[Add Legal Representative](#)

No records found.

Charge Documents

[Upload Documents](#)

450-2022-03320_NoticeOfChargeOfDiscrimination (Notice of Charge)

Nov 16, 2022

2022 11 03 Alyse Medlin signed charge(1) (Charge of Discrimination)

Nov 16, 2022

EXHIBIT

F

App. 020

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div> 450-2022-03320 rec'd on 11/3/2022 </div> </div>	
EEOC Chicago Field Office _____ and EEOC _____ <small>State or local Agency, if any</small>			
Name (Indicate Mr., Ms., Mrs.) Alyse Medlin		Home Phone (Incl. Area Code) 6825610887	Date of Birth <div style="background-color: black; width: 40px; height: 15px; display: inline-block;"></div> 1989
Street Address 1524 Strafford Dr.		City, State and ZIP Code Mansfield, TX 76063	
Named Is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name United Airlines		No. Employees, Members 84000+	Phone No. (Incl. Area Code) (847) 700-4000
Street Address 233 S. Wacker Dr.		City, State and ZIP Code Chicago, IL 60606	
Name 		No. Employees, Members 	Phone No. (Incl. Area Code)
Street Address 		City, State and ZIP Code 	
DISCRIMINATION BASED ON (Check appropriate box(es)) <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> SEX</div> <div style="width: 50%;"><input checked="" type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input checked="" type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 100%;"><input checked="" type="checkbox"/> OTHER (Specify) Hostile Work Environment</div> </div>			DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Sep 9, 2021 Mar 9, 2022 <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I was a Flight Attendant for United. In September 2021 I engaged in a protected activity identifying my faith based objections to United Airlines' vaccine mandate. I was denied, however, solely because I did not send the company a "third-party verification" letter when they gave me three days to do it while I was on maternity leave. I did not know I needed to submit the letter until after United's deadline because I was not required to check email or company software while on unpaid maternity leave. I tried to submit my third-party letter a few weeks later but the online portal for exemption requests would not let me. When I came back from maternity leave in March 2022, I was immediately terminated because I did not have a company-approved exemption in place even though I was entitled under federal law to an exemption based on my sincerely held religious belief that prevented me from taking the vaccine.</p> <p>My employer engaged in a pattern and practice of discrimination against its religious employees - that is why we are pursuing a class action lawsuit against the company. In particular, I believe my employer harbors a distaste for employees with religious beliefs like mine and was using the vaccination mandate as a convenient tool to get rid of (or punish) disfavored religious employees. Secular employees were treated more favorably than religious employees without a valid business justification for doing so. This is evidenced by the fact that many, if not most, of the religious employees that were terminated or placed on unpaid leave had been immunized naturally and possessed exceptional performance records when terminated. Naturally immune employees possessed similar and/or arguably superior protection against COVID-19 and there is no reason we could not have maintained our religious beliefs and continued to be productive members of the company. We posed no greater threat to the workforce than vaccinated employees, considering the fact that the COVID-19 vaccines did not prevent transmission of the virus.</p> <p>United's discrimination was unjustified. Some people were put on unpaid leave - I was terminated when it had long been known that the vaccines did not prevent the transmission of COVID-19.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <small>(month, day, year)</small>	
I declare under penalty of perjury that the above is true and correct. <div style="display: flex; align-items: center;"> <div style="margin-right: 20px;"> <div style="background-color: yellow; padding: 2px; border: 1px solid black;">Nov 3, 2022</div> <div style="text-align: center;">Date</div> </div> <div> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> DocuSigned by: Alyse Medlin </div> <div style="text-align: center;"> <small>20200809062430</small> Charging Party Signature </div> </div> </div>		NOTARY - When necessary for State or Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <small>(month, day, year)</small>	

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I also believe my employer engaged in a pattern and practice of discrimination against employees it perceived as disabled. Through word and action, my employer treated hundreds of its unvaccinated employees as though we were disabled (as though we were perpetually infected with COVID-19) and then kicked us out based on that perceived disability. Employees who my employer did not perceive as disabled were allowed to keep their jobs and were treated with dignity and respect.

I believe my employer intentionally cultivated a coercive and hostile environment against all of its exempt employees who were unable to receive a COVID-19 vaccine, taking steps such as sending post cards with private medical information on them to unvaccinated individuals' houses.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Nov 3, 2022

Date

DocuSigned by:

Alyse Medlin

2C060F405CE243C
Charging Party Signature



EEOC Respondent Portal

Charge of Discrimination

[User Guide](#) [Logout](#)

Your Organization: UNITED AIRLINES

Your EEOC contact is : SUSANA NAHAS , SUSANA.NAHAS@EEOC.GOV

[Update Respondent Information](#)

Notice

This charge is closed.

Charge: 440-2022-01994

The charge of employment discrimination that has been filed against your organization by **Jarrad Rains**

Statutes and circumstances of alleged discrimination:

- Disability, Religion, Retaliation

Contacts ⓘ

Add Organization Contact

Megan Detzner (Primary)

HR
United
233 South Wacker Drive, 11Th
Floor
Chicago, IL 60606
megan.detzner@united.com
(872) 825-7608 (main)
[Update](#) [Delete](#)

Add Legal Representative

No records found.

Charge Documents


[Upload Documents](#)

2023.1.26 NRTS 440-2022-01994.pdf
(Closure Notice/NRTS) Jan 27, 2023

EXHIBIT

G

App. 023

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 440-2022-01994	
EEOC Chicago Field Office _____ and EEOC State or local Agency, if any			
Name (Indicate Mr., Ms., Mrs.) Jarrad Rains		Home Phone (Incl. Area Code) 9366621943	Date of Birth [REDACTED] 1971
Street Address 2279 Dennis Road		City, State and ZIP Code Weatherford, TX 76087	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name United Airlines		No. Employees, Members 84000+	Phone No. (Incl. Area Code) (847) 700-4000
Street Address 233 S. Wacker Dr.		City, State and ZIP Code Chicago, IL 60606	
Name _____		No. Employees, Members _____	Phone No. (Incl. Area Code) _____
Street Address _____		City, State and ZIP Code _____	
DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input checked="" type="checkbox"/> OTHER (Specify) Hostile Work Environment			DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest Aug 6, 2021 Present <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I am a Flight Attendant for United. On September 20, 2021 I engaged in a protected activity identifying my medical and faith based objections to United Airlines' vaccine mandate. I was technically "approved" for a medical exemption due to my hereditary heart disease. I also applied for a religious exemption due to my sincerely held beliefs but was denied because I already had a medical exemption. United failed to engage in an interactive process with me to determine a reasonable accommodation for my disability and, instead, placed me on unpaid leave as my "accommodation." This violates the ADA because my disability entitled me to an exemption from the mandate.</p> <p>In seeking to coerce exempt individuals into taking the vaccine, United also created a hostile work environment in addition to holding our livelihoods over our heads. This discrimination was part of a comprehensive, company-wide policy that negatively impacted a very large number of its employees company-wide.</p> <p>My employer engaged in a pattern and practice of discrimination against its disabled and religious employees - that is why we are pursuing a class action lawsuit against the company. In particular, I believe my employer harbors a distaste for employees with religious beliefs like mine and was using the vaccination mandate as a convenient tool to get rid of (or punish) disfavored religious employees. Secular employees were treated more favorably than religious employees without a valid business justification for doing so. This is evidenced by the fact that many, if not most, of the religious employees that were terminated or placed on unpaid leave had been immunized naturally and possessed exceptional performance records when terminated. Naturally immune employees possessed similar and/or arguably superior protection against COVID-19 and there is no reason we could not have maintained our religious beliefs/medical needs and continued to be productive members of the company. We posed no greater threat to the workforce than vaccinated employees, considering the fact that the COVID-19 vaccines did not prevent transmission of the virus.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT _____ SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
I declare under penalty of perjury that the above is true and correct. <div style="display: flex; justify-content: space-between; align-items: center;"> <div> Nov 3, 2022 Date </div> <div> DocuSigned by:  13171622550461 Charging Party Signature </div> </div>			

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I believe my employer engaged in a pattern and practice of discrimination against employees it perceived as disabled. Through word and action, my employer treated hundreds of its unvaccinated employees as though we were disabled (as though we were perpetually infected with COVID-19) and then kicked us out based on that perceived disability. Employees who my employer did not perceive as disabled were allowed to keep their jobs and were treated with dignity and respect.

I believe my employer intentionally cultivated a coercive and hostile environment against all of its exempt employees who were unable to receive a COVID-19 vaccine, taking steps to ensure that others at United ridiculed the unvaccinated or were otherwise made aware of who was unvaccinated in various ways. I believe this policy was instituted by upper management in an effort to coerce disabled and religious employees into abandoning their medical needs and/or religious beliefs. I also believe the coercive environment was instituted from top levels of the organization as punishment and retaliation against all employees who dared to attempt to receive an exemption from the compulsory vaccination policy.

Even after the company brought us back from unpaid leave after months off work, United continued to discriminate and retaliate against those of us entitled to exemptions by placing arbitrary restrictions on destinations to which we could fly. While a small number of countries were actually "closed" to unvaccinated individuals, most destinations were not (including many United would not let us fly to). The restricted cities just happened to often be lucrative or preferable routes for flightcrews and, as other airlines showed, there was no logical reason we should have been prevented from flying there outside of retaliation against our exemptions.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

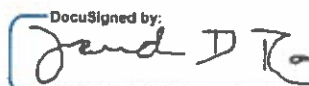
I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Nov 3, 2022

Date

DocuSigned by:

(317) 662-2330451
Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 524-2021-01651 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
Texas Workforce Commission Civil Rights Division		and EEOC	
<i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Mr. David E. Sambrano		Home Phone 817-701-6128	
Year of Birth			
Street Address 2220 Collins Path COLLEYVILLE, TX 76034			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name UNITED AIRLINES		No Employees, Members 501+ Employees	
Street Address Newark Liberty Int'l Airport 1 Terminal C Gate 107 Newark, NJ 07114		Phone No (872) 825-7608	
Name		No Employees, Members	
Street Address		Phone No	
City, State and ZIP Code		City, State and ZIP Code	
DISCRIMINATION BASED ON Religion		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> Earliest 08/06/2021 Latest 11/12/2021 </div> <div style="text-align: center; margin-top: 20px;"> Continuing Action </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began my employment on or about December 4, 1989. My current position is Pilot/Boeing 787 Captain. On or about August 6, 2021, I was notified by my employer that it would be requiring all employees to be fully vaccinated against Covid-19 by October 25th, but later that date was then changed by United Airlines to September 27, 2021. I sincerely hold a religious belief that conflicts with my employers vaccination requirement. On August 29 2021, I requested a religious exemption to Respondents Covid-19 vaccination mandate, and subsequently answered discriminatory questions relating to the validity of my faith without any pretense or reason. My exemption was approved on September 15, 2021. United Airlines then informed me that October 2, 2021, was the original start date of my accommodation and this was subsequently moved to November 9th. Later another date was chosen as on or about November 12th as the official start date for the accommodation. That accommodation is where Respondent placed me on an indefinite unpaid leave of absence with no medical insurance unless I can pay the COBRA rates with no income, no contribution to my 401K retirement account, no ability to access my 401K retirement account as I would be considered an active employee for that purpose, no flight benefits, and I would not be able to retire from the forced unpaid leave of absence. Lastly, any outside employment would have to be approved by United Airlines and under the terms that they would set. No alternate accommodation was offered, and Respondent failed to engage in the			
I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Mr. David E. Sambrano <div style="background-color: yellow; padding: 2px; display: inline-block;">03/25/2022</div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
<i>Charging Party Signature</i>		<div style="border: 2px solid black; border-radius: 10px; padding: 5px; display: inline-block;"> EXHIBIT <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">H</div> </div>	

<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p style="text-align: center;">This form is affected by the Privacy Act of 1974 See enclosed Privacy Act Statement and other information before completing this form</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC 524-2021-01651</p> <p style="text-align: center;">FEPA</p>
<p style="text-align: center;">Texas Workforce Commission Civil Rights Division and EEOC</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

interactive process. There were no discussions or any dates set for discussing my capabilities to work in any other areas of United Airlines, as outlined in Title VII. I believe I have been discriminated against because of my religion, Christian, in violation of Title VII of the Civil Rights Act of 1964, as amended.??I believe that my employer discriminated against others because of their religion in violation of Title VII of the Civil Rights Act of 1964, as amended

<p>I want this charge filed with both the EEOC and the State or local Agency, if any I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Mr. David E. Sambrano</p> <p>03/25/2022</p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE</p> <p style="text-align: center;"><i>(month, day, year)</i></p>

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Dallas District Office
207 S. Houston Street, 3rd Floor
Dallas, TX 75202
(800) 669-4000
Website: www.eeoc.gov

NOTICE OF CHARGE OF DISCRIMINATION

(This Notice replaces EEOC FORM 131)

04/03/2022

To: Megan Detzner
Sr. Manager, EEO Compliance
233 S. Wacker Drive 11th Floor
Chicago, IL 60606

This is notice that a charge of employment discrimination has been filed with the EEOC against your organization by David E Sambrano under: Title VII of the Civil Rights Act of 1964 (Title VII). The circumstances of the alleged discrimination are based on Religion, and involve issues of Reasonable Accommodation that are alleged to have occurred on or about 11/12/2021.

The Digital Charge System makes investigations and communications with charging parties and respondents more efficient by digitizing charge documents. The charge is available for you to download from the EEOC Respondent Portal, the EEOC's secure online system.

Please follow these instructions to view the charge within ten (10) days of receiving this Notice:

1. Access the EEOC's secured online system at <https://arc.eeoc.gov/rsp/login.jsf>
2. Enter this EEOC Charge No.: 524-2021-01651
3. Enter this password: FlaxvdWr

Once you log into the system, you can view and download the charge, and electronically submit documents to EEOC. The system will also advise you of possible actions or responses and identify your EEOC point of contact for this charge.

If you are unable to log into the EEOC Respondent Portal or have any questions regarding it, you may send an email to dallasintake@eeoc.gov.

Preservation of Records Requirement When a Charge has Been Filed

The EEOC regulations require respondents to preserve all payroll and personnel records relevant to the charge until final disposition of the charge or litigation. 29 CFR §1602.14. For more information on your obligation to preserve records, see <http://eeoc.gov/employers/recordkeeping.cfm>.

Non-Retaliation Requirements

The laws enforced by the EEOC prohibit retaliation against any individual because s/he has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing under these laws. Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify the EEOC if any attempt at retaliation is made. For more information, see <http://www.eeoc.gov/laws/types/facts-retal.cfm>.

Legal Representation

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please provide the attorney's contact information when you log in to the online system.

Please retain this notice for your records.